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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Preparatory Committee
Informal meeting of the inter-sessional
open-ended working group
Geneva, 7-11 May 2001

Note by the Secretariat

Contribution of the Committee on the Elimination of Racial Discrimination to the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

Introduction

1. In paragraph 30 of its resolution 52/111 of 12 December 1997, the General Assembly requested, inter alia, the Committee on the Elimination of Racial Discrimination to assist the Preparatory Committee to undertake reviews, to submit recommendations concerning the World Conference and the preparations therefor and to participate actively in the World Conference.

2. The secretariat has the honour to transmit to the Preparatory Committee recommendations by the Committee on the Elimination of Racial Discrimination for amendment of the High Commissioner's draft declaration and programme of action of the World Conference (A/CONF.189/WG.1/3) transmitted to the first meeting of the inter-sessional open-ended working group which met from 6 to 9 March 2001. Proposed amendments are shown in bold-italics.

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ENG

DRAFT DECLARATION AND PROGRAMME OF ACTION OF THE WORLD CONFERENCE

AMENDMENTS SUGGESTED BY THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION
(the suggested amendments made by CERD are in bold-italics)

Elements for a draft declaration and programme of action for the World Conference

Note by the Secretary-General

1. The United Nations High Commissioner for Human Rights, acting in her capacity as Secretary-General of the World Conference, has the honour to transmit to the inter-sessional open-ended working group initial elements for the draft declaration and programme of action of the World Conference, as requested by the Preparatory Committee in its decision PC.1/12 adopted at its first session (A/CONF.189/PC.1/21, annex 1).

2. These elements are drawn principally from resolutions of the General Assembly and the Commission on Human Rights, the Vision Statement, international instruments, the final acts of the World Conferences of 1978 and 1983 and the reports of the regional conferences and expert seminars. They are necessarily selective and are inspired by the quest to identify consensus building blocks that would enable the international community to go forward together united in the struggle against racism, racial discrimination, xenophobia and related intolerance.

DRAFT DECLARATION

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

Having met in Durban, South Africa, from 31 August to 6 September 2001,

Expressing deep appreciation to the Government of South Africa for hosting this World Conference,

Drawing inspiration from the heroic struggle of the people of South Africa for equality and justice under democracy, the rule of law and respect for human rights,

Recalling that the Charter of the United Nations is based on the principles of the dignity and equality inherent in all human beings and seeks among its basic objectives to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

Reaffirming the principle of equality and non-discrimination in the Charter of the United Nations, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and in numerous international treaties and declarations as a foundation principle of national, regional and international public policy,

Recalling recent developments in the international protection of disadvantaged groups including the UN Declaration on the Rights of Persons Belonging to Minorities and the Working Group on Minorities, the Convention on Migrant Workers, the progress made in drafting the UN Declaration on Indigenous Peoples, the Permanent Forum on Indigenous Issues, the Rome Statute of the International Criminal Court, the international tribunals for the former Yugoslavia, and for Rwanda.

Recalling Commission on Human Rights resolution 1997/74, General Assembly resolution 52/111 and subsequent resolutions of those bodies concerning the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and recalling also the two World Conferences to Combat Racism and Racial Discrimination, held in Geneva in 1978 and 1983,

Recalling the commitment and policy recommendations of three decades of action to combat racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the fundamental importance of universal adherence to and faithful implementation of, the International Convention on the Elimination of All Forms of Racial Discrimination as the principal international instrument to eliminate racism, racial discrimination, xenophobia and related intolerance,

Emphasizing that the principle of non-discrimination is also fundamental to international human rights [and humanitarian] law.

Underscoring the importance of the gender dimension of racial discrimination and the fundamental importance of universal adherence to and faithful implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

Having considered the reports of the regional conferences organized at Dakar, Santiago, Strasbourg and Tehran, as well as the reports of expert seminars and other meetings organized in preparation for the World Conference,

Having listened to the aspirations of peoples and groups from different parts of the world for genuine equality of opportunity for development and for justice,

Applauding the Vision Statement launched by President Thabo Mbeki of South Africa under the patronage of The Honourable Nelson Mandela, first President of the new South Africa, and at the initiative of the United Nations High Commissioner for Human Rights and Secretary-General of the World Conference, and signed by 74 Heads of State, Heads of Government and Dignitaries,

Fully aware that, despite efforts undertaken by the international community and national Governments, racism, racial discrimination, xenophobia and related intolerance continue to be responsible for violations of basic human rights resulting in suffering, disadvantage and violence, which must be combated by all available and appropriate means and as a matter of the highest priority,

Dedicating ourselves without reservation to redoubling our efforts to combating the scourge of racism, racial discrimination, xenophobia and related intolerance fully and effectively, giving this struggle the priority attention it deserves,

Determined that the twenty-first century shall be the century of human rights and the realization of genuine equality of opportunities and treatment for all individuals and peoples,

Join together, in a spirit of renewed political will and commitment, and adopt the following Durban Declaration and Commitment to Universal Equality and Justice:

1. All human beings are born equal in dignity and rights. Any doctrine of racial superiority is, therefore, scientifically false, morally condemnable, socially unjust and dangerous, and has no justification whatsoever; **WCR 1 & 2, Regional Conference, Tehran Cf. Regional Conference Strasbourg**

2. We all constitute one human family striving for the full exercise of our human spirit, the reawakening of all its inventive, creative and moral capacities, enhanced

by the equal participation of men and women. Recognizing this can make the twenty-first century an era of genuine fulfilment and peace; **Vision statement**

3. All peoples and all human groups have contributed to the progress of civilization and cultures which constitute the common heritage of humanity; **WCR 1 & 2**

4. For too long diversity has been treated as threat rather than gift, and too often that threat has been expressed in racial contempt and conflict, in exclusion, discrimination and intolerance. We must refocus our understanding, discern in diversity of race and culture the potential for mutual enrichment, and realize that it is the interchange between great traditions of human spirituality that offers the best prospect for the human spirit itself; **Vision statement**

5. We are conscious that humanity's history is replete with terrible wrongs inflicted through lack of respect for the equality of human beings manifested through wars, genocide, slavery, holocaust, apartheid, ethnic cleansing and other atrocities, and we understand the quest of the victims and their heirs for justice, dignity, respect and correction of the continuing consequences of historical wrongs. We call for open national and international dialogue to address these concerns;

6. We salute the memory of all victims of racism and racial discrimination, colonialism and apartheid all over the world; **Regional Conference, Dakar**

7. We also understand that intolerance and racial discrimination breed and fester in inequitable political, economic and social conditions, and that genuine equality of opportunity for development is fundamental for the eradication of racism, racial discrimination, xenophobia and related intolerance. We therefore call for urgent national, regional and international measures to provide the chance for a decent life for all the peoples of the world in their magnificent diversity;

8. We believe that the spirit of the Universal Declaration of Human Rights and of the Vienna Declaration and Programme of Action should guide the pursuit of equality and non-discrimination in all countries and societies. ***We affirm that the full implemtation of International Convention on All Forms of Racial Discrimination is of a paramount importance for promoting equality and non-discrimination in the world.*** We ***also*** affirm that the implementation of economic, social and cultural rights alongside civil and political rights must become the highest priority of Governments, reflecting the aspirations of the peoples of the world;

9. We recognize the important role of civil society in proposing strategies for the fight against racism, racial discrimination, xenophobia and related intolerance and in assisting Governments in their implementation; **Regional Conference, Tehran**

10. In reviewing progress made in the fight against racism, racial discrimination, xenophobia and related intolerance since the adoption of the Universal Declaration of Human Rights, we note that despite the development of international, regional and national laws underpinning equality, racist attitudes remain deeply entrenched and that political, economic and social conditions often inhibit their implementation. We also note with sadness that minorities, indigenous people, migrants, asylum-seekers and refugees and others still suffer from widespread inequality and racial discrimination. The obstacles to equality lie in the mind and the spirit as well as in political, economic and social conditions. Education, development, and the faithful implementation of international human rights norms are the keys to future action for equality and non-discrimination;

11. We reaffirm that racism, racial discrimination, xenophobia and related intolerance threaten democratic societies and our fundamental values; **Regional Conference, Strasbourg**

12. We express our conviction that political platforms based on racism, xenophobia or doctrines of racial superiority and discrimination must be condemned as incompatible with democracy and transparent and accountable governance, and that racial discrimination condoned by governmental policies violates human rights and may endanger friendly relations among peoples, cooperation among nations, and international peace and security; **Regional Conference, Santiago and Regional Conference, Tehran Cf. Regional Conference, Dakar**

13. We reaffirm that all initiatives aiming at greater political, social and cultural participation, especially of persons belonging to vulnerable groups, should be encouraged; **Regional Conference, Strasbourg**

14. We recognize that education is key to the promotion of respect for the racial, ethnic, cultural and linguistic diversity of societies and for the promotion and protection of democratic values which are essential to prevent the spread of racism, racial discrimination, xenophobia and related intolerance; **Regional Conference, Tehran**

15. We express deep concern about the use of new information technologies, such as the Internet, to propagate racial hatred, xenophobia, racial discrimination and related intolerance, and that children and youth have access to this material; **Regional Conference, Tehran Cf. Regional Conference, Santiago**

16. The new technologies, including the Internet, should contribute to combating racism, racial discrimination, xenophobia and related intolerance and should also be used to promote tolerance and respect for diversity; **Regional Conference, Tehran**

17. We recognize that although globalization, as an ongoing process, is a powerful and dynamic force with the potential to help achieve the goal of development and prosperity for all of humankind, there is a need to manage it properly to guard against adverse trends, including growing economic disparity and cultural homogenization, which, by marginalizing certain countries and groups, could, inter alia, contribute to maintaining and strengthening racist attitudes; **Regional Conference, Tehran Cf. Regional Conference, Dakar**

18. We recognize that certain persons and groups may experience other forms of discrimination on the basis of their gender, age, disability, genetic condition, language, religion, sexual orientation, economic status or social origin, and that in addition they may experience acts of racism, racial discrimination, xenophobia and related intolerance. We note that this situation can result in such persons being victims of multiple forms of discrimination, and stress that special attention should be given to the elaboration of strategies, policies and programmes, which may include affirmative action, for such persons; **Regional Conference, Santiago Cf. Regional Conference, Tehran**

19. We underscore the need to promote strategies, programmes and policies, which may include measures of affirmative action, for furthering the realization of the civil and political rights of victims of racism, racial discrimination, xenophobia and related intolerance, including through more effective access to the political, judicial and administrative functions of institutions, as well as the need to increase access to the administration of justice in all its forms, free from racial discrimination of any kind; **Regional Conference, Santiago Regional Conference, Tehran**

20. We affirm that the slave trade, particularly of Africans, was an appalling tragedy in the history of humanity, not only because of its abhorrent barbarism but also in terms of its enormous magnitude, its institutionalized nature, its transnational dimension, and especially its negation of the essence of the victims, and further note that the practice of slavery is now recognized as a crime against humanity. **Cf. Regional Conference, Dakar**

21. We recognize the need to adopt and implement strictly stringent laws, administrative measures and action plans aimed at countering all forms of racism, racial discrimination, xenophobia and related intolerance and to carry out exhaustive, timely and impartial investigations of all acts of racism and racial discrimination, to penalize those responsible according to the law and to secure prompt and fair reparation for the victims; **Regional Conference, Tehran Cf. Regional Conference, Santiago**

22. We recognize the importance of national institutions for the promotion and protection of human rights and ombudsman institutions in the struggle against racism, racial discrimination, xenophobia and related intolerance, and reaffirm the need for such entities to be established where they do not exist, and call upon the authorities and society

in general in those countries where they are performing their tasks of protection and prevention to cooperate to the maximum extent possible; **Regional Conference, Santiago Cf. Regional Conference, Tehran**

23. We also recognize that international exchange and dialogue among youth is an important element in building intercultural understanding and respect and will contribute to the elimination of racism, racial discrimination, xenophobia and related intolerance; **Regional Conference, Santiago Regional Conference, Tehran**

24. Rallying to the call by the General Assembly for concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance, we commend a Programme of Action for Equality and Non-Discrimination, grounded in actions at the national, regional and international levels, to be reviewed in five years. The bedrock for the Programme of Action is the opening article of the Universal Declaration of Human Rights which proudly declares that all human beings are born free and equal in dignity and rights and that they are endowed with reason and conscience and should act towards one another in a spirit of sisterhood and brotherhood. A key to equality lies in article 28 of the Universal Declaration which calls for a social and international order in which the rights and freedoms in the Declaration can be fully realized;

25. We are also guided by the invitation extended by the General Assembly for concrete recommendations for ensuring that the United Nations has the financial and other necessary resources for its action to combat racism, racial discrimination and related intolerance.

DRAFT PROGRAMME OF ACTION FOR EQUALITY

AND NON-DISCRIMINATION

I. MEASURES AT THE NATIONAL LEVEL

Legal measures

1. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance calls upon Governments:

(a) To adopt and implement, wherever necessary, national legislation and administrative measures that expressly and specifically counter racism and prohibit racial discrimination in all spheres of public life, ***in particular, in conformity with the provisions of the International Convention on All Forms of Racial Discrimination***;

(b) To guarantee equality to all without discrimination by ensuring equality of opportunity ***and equal enjoyment to all populations within their territory of social, economic and cultural rights alongside civil and political rights***;

(c) To ensure that all victims of racism, racial discrimination, xenophobia and related intolerance receive/have access to adequate information, support, and national legal, administrative and judicial remedies;

(d) To bring to justice those responsible for racist acts and the violence to which they give rise, ensuring the prohibition of racial discrimination in the enjoyment of the right to freedom of expression. **Regional Conference, Strasbourg**

National policies, programmes and strategies

2. The World Conference urges States to adopt or strengthen, as appropriate, national programmes for eradicating poverty which take account of indigenous populations, people of minority descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities, and of racism, racial discrimination, xenophobia and related intolerance, and also request that they expand their efforts to foster bilateral, regional and international cooperation in implementing those programmes. **Regional Conference, Santiago**

3. The World Conference urges Governments:

(a) To establish national policies and action plans to combat racism, racial discrimination, xenophobia, anti-Semitism and related intolerance, including through the creation of independent specialized national institutions with competence in this field, or reinforcing such institutions where they exist;

(b) To adopt action programmes as a long-term mechanism for resolving inequalities resulting from racism and racial discrimination. Special measures and action programmes of this kind are, under appropriate circumstances, legitimate in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination and in certain circumstances they are necessary;

(c) To pay specific attention to the treatment of persons belonging to vulnerable groups and to persons who suffer discrimination on multiple grounds;

(d) To integrate a gender perspective in policies and action to combat racism with a view to empowering women belonging to vulnerable groups to claim respect for their rights in all spheres of public and private life;

(e) To create conditions for the promotion and protection of the ethnic, cultural, linguistic and religious identity of persons belonging to national minorities where such minorities exist;

(f) To counter social exclusion and marginalization, in particular ***combatting discriminatory practices concerning access to employment, housing, health, goods and services, education, culture and other areas of everyday life;***

(g) To ensure the development of specific measures concerning non-nationals, which actively involve the host society and encourage respect for cultural diversity, to promote fair treatment for non-nationals and to facilitate their integration into social, cultural, political and economic life;

(h) To pay increased attention to the non-discriminatory treatment of non-nationals detained by public authorities;

(i) To reflect on the effective access of all members of the community, including members of vulnerable groups, to the decision-making processes in society, in particular at the local level;

(j) To develop effective policies and implementation mechanisms and exchange good practices for the full achievement of equality for Roma/Gypsies and Travellers. **Regional Conference, Strasbourg**

4. The World Conference urges the promotion of forms of good governance based on the principles of the rule of law, equality and non-discrimination and that reflect the full diversity of a given State. A model code of conduct should be developed for political parties so that their members refrain from public utterances that could encourage racism and racist sentiment among the public. **Asia-Pacific seminar of experts, Bangkok**

National institutions

5. The World Conference urges all Governments to establish, where none exist, and to strengthen, where they do exist, human rights bodies (***national commissions for the protection of human rights,*** public defenders, human rights attorneys, ombudsmen, etc.). These bodies should have the following characteristics: (a) they must conform to the principles regarding the status of national institutions for the promotion and protection of human rights (the "Paris principles"); (b) they must have a unit specialized in racial discrimination; (c) they must have a broad mandate in terms of both issues and capabilities; (d) they must be visible and accessible to the population; (e) they must be able to initiate investigations, issue recommendations and institute legal proceedings in cases of racial discrimination; (f) their personnel must be representative of the population they serve. **Seminar of experts for Latin America and Caribbean, Santiago Cf. Regional Conference, Dakar Regional Conference, Tehran**

6. The World Conference:

(a) Urges States to include or reinforce, as part of the mandate of the ombudsman or equivalent institution, jurisdiction over cases of racism, racial discrimination, xenophobia and related intolerance, as well as foster cooperation of these institutions with other national institutions;

(b) Urges States to take steps to ensure that national human rights institutions reflect the diversity of the country and population, and to ensure that members of groups which are victims of or vulnerable to racism, racial discrimination, xenophobia and related intolerance can participate fully in these institutions;

(c) Urges States to support national human rights institutions or similar bodies responsible for combating racism, racial discrimination, xenophobia and related intolerance, inter alia by promoting quantitative, qualitative and gender-sensitive research on the subject with the participation of those being researched, the publication and circulation of existing national laws and jurisprudence, and cooperation with institutions in other countries so that knowledge can be gained of the manifestations, functioning and mechanisms of these practices and the strategies designed to prevent, combat and eradicate them;

(d) Also urges States to ensure that national human rights institutions and public institutions responsible for combating racism, racial discrimination, xenophobia and related intolerance, inter alia, have within their competence the capacity to receive, investigate and mediate complaints and, where appropriate, to refer such complaints to the justice system for appropriate action. **Regional Conference, Santiago**

II. EDUCATION, TRAINING AND PUBLIC INFORMATION

7. The World Conference underlines the crucial role of education, in particular human rights education, in the prevention and eradication of all forms of intolerance and discrimination. In this regard, it is important to reinforce the anti-discrimination component of the school curricula and to improve educational materials on human rights, in order to shape attitudes and behavioural patterns based on the principles of non-discrimination, mutual respect and tolerance. **Expert seminar on remedies, Geneva Cf. Regional Conference, Tehran**

8. The World Conference urges all Governments to conduct nationwide campaigns to raise awareness among State organs, such as the judiciary, and law enforcement agencies, public officials, including legislators, as well as civil society organizations, including associations involved with migrants and other vulnerable groups, concerning the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination. **Asia-Pacific seminar of experts, Bangkok Cf. Regional Conference, Dakar**

9. The World Conference recommends that ***police, immigration and other State officials who are in daily contact with the least privileged groups of society and for whom discriminatory behaviour might be feared*** receive training in the application of international human rights standards such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and that the successful completion of such training programmes be made one of the criteria for promotion. **Asia-Pacific seminar of experts, Bangkok**

10. The World Conference requests States to include the struggle against racism, racial discrimination, xenophobia and related intolerance among the activities of the United Nations Decade for Human Rights Education. **Regional Conference, Santiago**

11. The World Conference calls upon participating States to introduce, or encourage the introduction of, or reinforce, human rights education, including promoting anti-racism, in school curricula and in institutions of higher education. ***Governments should be called upon to articulate a vision of an inclusive national identity that embraces and encompases all parts of the population.***

12. The World Conference encourages States to consider taking measures to increase the recruitment, retention and promotion of women and men belonging to targeted groups to the teaching profession and guarantee them effective equality of access to it.

13. The World Conference calls upon States to commit themselves to undertaking public information campaigns or other more long-term initiatives, to alert their societies

to the dangers of racism, racial discrimination, xenophobia, anti-Semitism and related intolerance, and to support initiatives of non-governmental organizations in this respect. Such campaigns or initiatives need to be addressed to the whole of society, in particular young people.

14. The World Conference recognizes that networks of information are an important tool in the fight against racism and xenophobia. All States should recognize the importance of community media, in particular community radio, that give a voice to women and men from targeted groups.

15. States should intensify their efforts in the field of education to promote the consciousness of the evil of racism, racial discrimination, xenophobia and related intolerance, in order to ensure the respect for the dignity and worth of all human beings. In this context, States should develop, where appropriate, and implement specific sensitization and training programmes, formulated in local languages for all categories of society, in particular young people, to combat racism. **Regional Conference, Dakar**

16. The World Conference urges States to give priority to textbook and curriculum review so as to eliminate any elements that might promote racism, racial discrimination, xenophobia and related intolerance or reinforce negative stereotypes, including material that refutes such stereotypes. It also urges them to provide an accurate presentation of the history of the State, highlighting the contributions of the different cultures and civilizations of the region and the world, including the role that indigenous people, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups and minorities have played in building national identities. **Regional Conference, Santiago**

17. To increase the level of awareness about the scourge of racism, racial discrimination, xenophobia and related intolerance, the World Conference calls for the continuation and expansion of the goodwill ambassadors programme initiated by the High Commissioner for Human Rights. It urges that goodwill ambassadors be designated in all countries of the world to spearhead a culture of tolerance, respect and human rights. It also calls for a special campaign to publicize and promote the work of the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women.

III. PREVENTION

18. ***The World Conference considers that the danger of ethnic conflicts ought to be a matter of concern before it develops into civil unrest or violence leading to genocide. It urges the United Nations to strengthen its capacity to deploy peace operations rapidly and effectively with appropriate rules of engagement to protect the civilian population***

against acts of genocide or so called ethnic cleansing such as those perpetrated during the past decade in several regions of the world.

19. ***The World Conference recommends that fact-finding missions sent by the UN Secretary-General to areas of racial tension to pre-empt ethnic conflict from erupting into hostilities and local wars that threaten regional and international security should draw on the expertise of human rights treaty bodies, particularly CERD and the Human Rights Committee, the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights.***

20. The World Conference urges that:

(a) The capacity of the ***early warning and*** urgent procedures mechanisms of the Committee on the Elimination of Racial Discrimination should be strengthened so that it can act immediately under ~~article 4~~ of the International Convention on the Elimination of All Forms of Racial Discrimination with regard to any mass media appeals and any other incitement to racial discrimination and violence leading to genocide.

(b) The resources of the Committee on the Elimination of Racial Discrimination should be increased to enable it to act effectively in investigating fully any allegations of genocide or direct or public incitement to commit genocide brought to its knowledge by Member States, an international organization or a non-governmental organization, and to enable it to cooperate with early-warning and any good offices functions of the United Nations. **Expert seminar on racism, refugees and multi-ethnic States, Geneva**

(c) State parties should also be encouraged to consider the use of artilce 11 of the Convention.

21. The World Conference urges Governments to institute routine monitoring of the situation of marginalized racial and ethnic groups, through periodic sampling and compilation of statistical information disaggregated by race or ethnic group, particularly with regard to such fundamental economic and social indicators as infant mortality rate, life expectancy, literacy rate, level of education, access to employment, housing and health services, and average disposable income. Special attention should be paid to research into the impact of racial discrimination on the enjoyment of those rights, and to the publication of the conclusions. **Seminar of experts for Latin America and Caribbean, Santiago**

IV. THE INTERNET

22. The World Conference draws the attention of States to the need to coordinate a prompt international response to the rapidly evolving phenomenon of the dissemination

of hate speech and racist material on the Internet. In this respect, it calls for international judicial cooperation to be strengthened and rapid intervention mechanisms to be agreed.

23. The World Conference urges States to apply legislation for prosecuting those responsible for incitement to racial hatred on the Internet and their accomplices. It further recommends the training of law enforcement authorities in addressing the problem of dissemination of racist material through the Internet. **Regional Conference, Strasbourg Cf. Regional Conference, Tehran**

24. The World Conference calls upon States to encourage Internet service providers to establish and disseminate specific codes of conduct against the dissemination of racist messages and those that promote racial discrimination, xenophobia or any form of intolerance and discrimination. **Regional Conference, Santiago**

25. The World Conference welcomes the positive contribution the Internet can bring in combating racism through rapid and wide-reaching communication. It calls upon States to examine ways in which the Internet can be used systematically, for example through the creation of a specific site, to provide information about good practices for combating racism, racial

discrimination, xenophobia, anti-Semitism and related intolerance. It also draws attention to the potential use of the Internet to create educational and awareness-raising networks against racism and intolerance, both in and out of school. **Regional Conference, Strasbourg**

V. THE MEDIA

26. The World Conference recognizes that media should represent the diversity of multicultural society. **Regional Conference, Strasbourg**

27. The World Conference urges States to prevent, by all appropriate means, stereotyping of any ethnic, racial, national, cultural and linguistic group and to encourage objective and balanced portrayals of people, events and history, especially in the media, recognizing the profound influence that such portrayals have on societal perception of groups whose members are frequently victims of racism, racial discrimination, xenophobia and related intolerance. **Regional Conference. Tehran**

28. The World Conference draws attention to the power of advertising. In this context, it underlines the usefulness of establishing a code of conduct in the advertising sector which prohibits discrimination on such grounds as race, national or ethnic origin and religion. It furthermore considers that advertisers should also refuse to carry advertising messages which portray cultural, religious or ethnic difference in a negative

manner, including by reinforcing sexist or other stereotypes and prejudices. **Regional Conference, Strasbourg**

29. The World Conference urges the media to recognize the value of cultural diversity and to take concrete measures to ensure that marginalized communities have access to the media through, inter alia, the presentation of programmes that reflect the cultures and languages of minority communities, and to ensure that members of groups which are victims of racism, racial discrimination, xenophobia and related intolerance are adequately represented at all levels of their organizational structure. **Regional Conference, Santiago**

30. The international media through its relevant associations and organizations at both regional and international levels should consider the elaboration of an ethical code of conduct with a view to prohibiting the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form and promoting respect and tolerance among all peoples and human beings. **Regional Conference, Dakar Cf. Regional Conference, Tehran**

VI. RACISM AND POVERTY

31. The World Conference urges States to prevent and eliminate, where they exist, racially discriminatory policies and practices in access to employment and occupation. **Regional Conference, Tehran**

32. ***States and other international actors should endeavour to ensure that globalization in its different aspects does not exascerbate existing or create new patterns of inequality and racial discrimination.***

33. The World Conference urges Governments, the private business sector and international financial institutions, particularly the World Bank, to promote participation by minority groups in economic and social decision-making at all stages and levels. **Seminar of experts, Warsaw**

34. The World Conference urges States in their national efforts, and in cooperation with regional and international financial institutions, to promote the use of public and private investment in order to eradicate poverty, particularly in those areas in which indigenous populations, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities predominately live. **Regional Conference, Santiago**

35. The World Conference invites States to promote and support the organization and operation of enterprises owned by indigenous people, people of minority descent,

migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities by favouring access to credits and training programmes. **Regional Conference, Santiago**

36. ***Industrialized states should develop a generous development assistance programme, which will benefit a far larger number of needy people than presently is the case with the assistance to asylum seekers, the majority of whom do not qualify for protection under the 1951 Geneva Constitution.***

37. The World Conference urges States to adopt measures to provide a proper environment for disadvantaged groups, including action to reduce and eliminate industrial pollution that affects them disproportionately, to take measures to clean and redevelop contaminated sites located in or near where they live and, where appropriate, to relocate, on a voluntary basis and after consultation with those affected, racially and ethnically disadvantaged groups to other areas when there is no other practical alternative for ensuring their health and well-being. **Regional Conference, Santiago Cf. Regional Conference, Dakar**

VII. NGO AND YOUTH ACTIVITIES

38. The World Conference welcomes the catalytic role that non-governmental organizations have played in promoting human rights education and raising awareness about racism. It calls upon States to strengthen cooperation with non-governmental organizations, harnessing their experience and expertise in developing governmental legislation, policies and other initiatives. **Regional Conference, Strasbourg**

39. The World Conference calls upon States, in partnership with non-governmental organizations, civil society and the private sector, to facilitate an international youth dialogue on

racism, racial discrimination, xenophobia and related intolerance, through the World Youth Forum of the United Nations system and through the use of new technologies, exchanges and other means. **Regional Conference, Santiago**

40. By virtue of their independent status, non-governmental organizations, individually and collectively, have an important contribution to make. Through various activities sponsored by them, non-governmental organizations can be effective in identifying and publicizing areas of racial discrimination which otherwise may not come to light, and in helping to create greater practical understanding among young people of the importance of actively combating all forms of discrimination, in their own countries as well as in the international community.

41. Non-governmental organizations have the opportunity to create and sustain awareness among their members and in society at large regarding the evils of racism and

racial discrimination. Such awareness can be transmitted from a nation to an international organization with all the added benefits of the concrete experience of a particular country. Governments should therefore ensure that non-governmental organizations are enabled to function freely and openly within their societies and thereby make an effective contribution to the elimination of racism and racial discrimination throughout the world. **WCR 2**

VIII. WOMEN

42. The World Conference recommends that special emphasis be put on gender issues and gender discrimination, particularly the multiple jeopardy that occurs when gender, class, race and ethnicity intersect. Human rights treaty bodies, in particular the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of all Forms of Racial Discrimination and the Committee on the Rights of the Child, should pay special attention to this area when examining periodic reports of States parties that are countries of origin and/or destination of migrants. **Asia-Pacific seminar of experts, Bangkok**

43. The World Conference underlines the importance of integrating a gender perspective in all actions and policies against racism, xenophobia and related intolerance and of empowering women belonging to targeted groups to demand respect for their rights in all spheres of public and private life and play an active role in the design and implementation of policies and measures which affect their lives. **Regional Conference, Strasbourg Cf. Regional Conference, Dakar**

44. The World Conference considers that racism, racial discrimination and xenophobia manifest themselves in a differentiated manner for women, causing their living conditions to deteriorate, generating multiple forms of violence, and limiting or denying them the benefit and exercise of their human rights. **Regional Conference, Santiago**

45. The World Conference urges States to involve women in decision-making at all levels when working towards the eradication of racism, racial discrimination, xenophobia and related intolerance. **Regional Conference, Santiago**

46. The World Conference requests States to adopt public policies and give impetus to programmes on behalf of indigenous women, with a view to promoting their civil, political, economic, social and cultural rights; to putting an end to their situation of disadvantage for reasons of gender; to dealing with urgent problems affecting them, in education and in the economy and in the matter of domestic violence; and to ending the situation of aggravated discrimination they suffer as women in manifestations of racism and gender discrimination. **Regional Conference, Santiago**

IX. CHILDREN

47. The World Conference observes with concern the large number of children, especially girls, and young people among the victims of racism, racial discrimination, xenophobia and related intolerance. It notes the need to consider these situations of discrimination when designing strategies and programmes for, inter alia: (a) abandoned children; (b) children who live or work in the street; (c) child victims of trafficking and economic exploitation; (d) sexually exploited children, (e) children affected by armed conflict; and (f) child victims of poverty. **Regional Conference, Santiago**

48. Governments should collect better statistical data and analyse them in order to identify how legislation and policy affect children's lives, ensuring that any data collected on ethnicity, nationality, religion, descent, etc. will not be misused. **International Save the Children Alliance**

49. The World Conference stresses the need to incorporate the principle of the best interests of the child in programmes against racism, racial discrimination, xenophobia and related intolerance, in order to give priority attention to the situation of children and young people who are victims of these practices. **Regional Conference, Santiago**

50. The World Conference requests States and international organizations to provide protection against acts of racism, racial discrimination, xenophobia and related intolerance against children, particularly those who find themselves in circumstances of particular vulnerability. **Regional Conference, Santiago**

51. The World Conference recognizes with deep concern the increase in anti-Semitism and hostile acts against Jews in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas concerning the Jewish community.

52. The World Conference also recognizes with deep concern the existence of Islamophobia and hostile acts and violence against Arabs which are evidenced in various parts of the world.

53. The World Conference also recognizes with deep concern the existence of religious intolerance against other religious communities, as well as the emergence of hostile acts and violence against such communities because of their religious beliefs and their racial or ethnic origin in various parts of the world. **Cf. Regional Conference, Santiago**

X. DISADVANTAGED GROUPS - GENERAL

54. The World Conference urges States to collect, compile and disseminate data on the situation of groups which are victims of discrimination, providing information on the composition of their populations according to race, colour, nationality, ethnicity, sex, age and other factors, as appropriate, for, inter alia, the development and evaluation of policies with respect to human rights, including those against racism, racial discrimination, xenophobia and related intolerance, and to share experiences and successful practices with other States.

55. The World Conference urges States to ensure that institutions responsible for providing statistical information on the population take explicit account of the existence of indigenous people, people of varying descent and other ethnic groups, capturing the component parts of their diversity according to their needs and characteristics, designing strategies to evaluate the human rights policies concerning ethnic groups and exchanging experiences and practices with other States. To that end, it recommends the development of participatory strategies for these communities in the processes of collecting and using information.

56. The World Conference urges States to establish, on the basis of existing statistical information, national programmes, including affirmative action measures, to promote the access of indigenous people, people of varying descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities to education, medical care and basic social services.

57. The World Conference urges States to take measures to eliminate disparities in health status experienced by disadvantaged racial and ethnic groups by the year 2010, including disparities in infant mortality, childhood immunization, and the incidence of diabetes, heart disease, HIV/AIDS and cancer. **Regional Conference, Santiago**

XI. MIGRATION AND TRAFFICKING

58. The World Conference encourages all States to develop national laws that deal with trafficking in persons, and to allocate resources to ensure law enforcement and the creation of adequate judicial institutions to deal with trafficking cases. States should be further encouraged to create inter-ministerial task forces or national focal points to combat trafficking in persons.

59. The World Conference recommends that further studies be conducted on how racism, racial discrimination, xenophobia and related intolerance are reflected in laws, policies, institutions and practices and how this has contributed to the vulnerability, victimization and exclusion of migrants, especially women and children.

60. ***The World Conference urges states to avoid immigration policies which through motivation and their implementation engender racist sentiments and discriminatory practices as well as endanger the rights of refugees under the 1951 Geneva Constitution.***

61. The World Conference calls for studies to address the effects of economic globalization on migration trends and the resurgence of racism, racial discrimination, xenophobia and related intolerance. **Seminar of experts, Bangkok**

62. The World Conference recommends the training of immigration officials, border police and staff of migrant detention centres in human rights, especially the human rights of migrants, in order to avoid situations where prejudices lead to decisions based on, and acts of, racism, xenophobia and discrimination. **Seminar of experts for Latin America and Caribbean, Santiago Cf. Regional Conference, Dakar**

63. The World Conference encourages those Member States that have not yet done so to enact and implement, as appropriate, laws against trafficking in and smuggling of migrants, and to take into account, in particular, practices that endanger their lives or lead to various kinds of servitude and exploitation, such as debt bondage, slavery and sexual or labour exploitation, and to reinforce bilateral, regional and international cooperation to combat this traffic. **Regional Conference, Santiago**

64. The World Conference urges States to take special measures to ensure that every child, woman and man is registered and issued with legal identity documents to reduce the incidence of statelessness and trafficking. This preventive measure would protect individuals and gain them access to available legal procedures and remedies and development opportunities.

65. States should encourage the business sector, in particular the tourist industry and Internet providers, to develop codes of conduct with a view to protecting trafficked persons, especially those in prostitution, against gender-based and racial discrimination and promoting their rights, dignity and security. States should encourage the establishment of independent civil society committees to monitor compliance with such codes of conduct.

66. The World Conference encourages all States to develop bilateral and cross-border cooperation to eliminate ***criminal*** trafficking ***and commercial exploitation of*** persons.

67. The World Conference recommends that the General Assembly declare a United Nations Year or Decade against Trafficking in Persons, especially in Women and Children. **Asia-Pacific seminar of experts, Bangkok**

68. ***The World Conference encourages member states to:***

(a) Review their national legislation to eliminate all forms of racial discrimination, or discrimination based on ethnic origin, against immigrants and migrant workers;

(b) Give particular attention to the situation of immigrant women and workers employed in private households;

(c) Ensure the effective and full protection of immigrants and migrant workers, by preventing arbitrary expulsions, ensuring that repatriations be carried out in a dignified manner and by adopting specific measures to facilitate the reintegration of those who return to their countries of origin.

(d) consider the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their families;

(e) Develop adequate training of immigration offices on their human rights obligations.

XII. ASYLUM SEEKERS, REFUGEES AND INTERNALLY DISPLACED PERSONS

69. States should take seriously their humanitarian obligations, without discriminating between the different regions of the world, with regard to the principles of international cooperation, burden-sharing and the resettlement of refugees in their countries ***and should ensure that the return of refugees and displaced persons to their homes of origin is voluntary and carried out under conditions of safety, observing the principle of non-refoulement and non-expulsion of refugees.*** **Regional Conference, Dakar**

70. ***States should guarantee all such refugees and displaced persons, after their return to their home of origin, the right to have restored to them property of which they were deprived in the course of the conflict and to be compensated appropriately for any such property that cannot be restored to them, as well as the right to participate fully and equally in public affairs at all levels and to receive rehabilitation assistance.***

71. The World Conference urges States to recognize the different barriers that refugees and immigrants face as they endeavour to participate in the economic, social, political and cultural life of their countries and encourages States to develop strategies to facilitate the long-term integration of these persons into their new countries of residence and the full enjoyment by them of their human rights. **Regional Conference, Santiago Cf. Regional Conference, Dakar**

72. Special attention should be given to the violations of the human rights of refugees in refugee camps and detention centres. In these places, women and girls who are bereft of effective protection often face particular problems. Under these circumstances, women and girls are often subjected to sexual or other assaults. **Expert seminar on remedies, Geneva**

73. The World Conference urges States to apply the Guiding Principles on Internal Displacement, particularly those provisions relating to non-discrimination, where applicable. **Regional Conference, Santiago**

XIII. MINORITIES

74. ***The World Conference reaffirms the principles of the UN Declaration on the Rights of Persons belonging to Minorities, adopted by consensus in General Assembly resolution 47/135 of 18 December 1992.***

75. ***The World Conference affirms the positive value of concepts of cultural and territorial autonomy that constitute ways of promoting the ethnic, cultural, linguistic and religious identity of minorities and contribute in appropriate cases to the resolution of ethnic conflict.***

76. The World Conference notes that there are a number of concepts of cultural and territorial autonomy that constitute ways to preserve and promote the ethnic, cultural, linguistic and religious identity of a national minority that are in line with the principles and norms of international law.

77. Greater emphasis should be placed on teaching the history of national and ethnic minorities and of the history of neighbouring countries. **Seminar of experts, Warsaw**

78. Governments should create favourable conditions and take measures that will enable persons belonging to national or ethnic minorities within their jurisdiction to express their characteristics freely and to develop their education, culture, language, traditions and customs and to participate on a non-discriminatory and equitable basis in the cultural, social, economic and political life of the country in which they live. In maintaining their culture and traditions such persons should be in a position to develop the necessary contacts inside and outside their

country with due respect for the sovereignty, territorial integrity, the principle of non-interference by one State in the internal affairs of another State, and the political independence of the States concerned. **WCR 2**

79. The World Conference recommends that the United Nations elaborate an international instrument of a binding character defining the rights and obligations of

persons belonging to minorities. **Expert seminar on racism, refugees and multi-ethnic States, Geneva**

XIV. ROMAS

80. The World Conference underlines the necessity for States to pay particular attention to and adopt immediate and concrete measures to eradicate the widespread discrimination and persecution targeting Roma, Gypsies, Sinti and Travellers, including through the establishment of structures and processes, in partnership between the public authorities and representatives of the Roma, Gypsies, Sinti and Travellers. **Regional Conference, Strasbourg**

81. The World Conference encourages Governments to cooperate more constructively with the leaders of Roma organizations in their countries so that the needs of the Roma can be identified and priorities established.

82. Government efforts to design policies aimed at combating racial discrimination, xenophobia and related intolerance should be based on reliable statistical data and other quantitative information reflecting as accurately as possible the status of the Roma in society. Such information should be collected in accordance with human rights principles and in consultation with the persons concerned, and protected against abuse through data protection and privacy guarantees.

83. The World Conference calls for intensified efforts at educating the public about the extent of anti-Roma racism, and about the contributions of Roma culture and history.

84. The World Conference calls upon States to ensure that Roma children are provided equal access to quality education as formulated in ***General Recommendation XXVII of the Committee on the Elimination of Racial Discrimination,*** the recommendations of the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe entitled Report on the Situation of Roma and Sinti in the OSCE Area, 2000, and by the Specialist Groups on Roma/Gypsies of the Council of Europe. Governments should develop dedicated policies and programmes with the input of parents and schools. These might include opportunities to learn the official language in pre-school, recruitment of Roma teachers and classroom assistants, and

opportunities to learn in their mother tongue as guaranteed by article 4, paragraph 3, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 1992. **Seminar of experts, Warsaw**

XV. INDIGENOUS ISSUES

85. The World Conference urges States to adopt all necessary measures to ensure the full enjoyment by indigenous peoples of their rights, on the basis of equality and non-discrimination, including their full and free participation in all areas of society, in particular in matters affecting or concerning their interests, and to promote better knowledge of and respect for indigenous cultures and heritage ***including language, history, identity and traditions.***

86. The World Conference urges States to officially recognize the identity and rights of indigenous people and to adopt, in agreement with them, the administrative, legislative and judicial measures necessary to promote, protect and guarantee the exercise of their human rights and fundamental freedoms.

87. ***The World Conference calls upon states to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories. Only when this is for factual reasons not possible, the right to restitution should be substituted by the right to just, fair, and prompt compensation.***

88. The World Conference calls upon States to conclude negotiations and approve as soon as possible the text of the draft United Nations declaration on the rights of indigenous peoples, under discussion in the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights. **Regional Conference, Santiago**

89. The World Conference recommends the convening of an international conference on indigenous people at the end of the International Decade of the World's Indigenous People (1995-2004). **Seminar of experts for Latin America and Caribbean, Santiago**

90. The establishment of the Permanent Forum on Indigenous Issues within the United Nations system represents an important recognition of the particular needs of indigenous people and should serve to ensure that indigenous issues relating to economic and social development, culture, the environment, education, health and human rights are more effectively addressed.

XVI. REMEDIES

91. The World Conference affirms that the establishment of more effective measures against racial discrimination should include recognition of the need for a package of preventive and deterrent measures. Cultural change to be achieved through educational

programmes must be in the forefront of preventive measures but deterrent measures are equally essential, for example: (a) adoption of a law against racial discrimination and its incorporation into national legislation; such a law could be modelled on United Nations publication HR/PUB/96/2; (b) extension of legislative measures prohibiting racial discrimination in all areas of the public and private sectors, including employment, training, education, housing, provision of goods and services, immigration policy, the administration of justice, and law and order; (c) enactment of legislation providing for adequate civil compensation of victims of racial discrimination. Provision should be made for rehabilitation of the perpetrators and victims of racism by means of truth commissions, apologies, and the establishment of victims' compensation and reparation funds, as appropriate.

92. States are urged, with regard to the procedural remedies provided for in their domestic law, to bear in mind the following considerations: (a) access to such remedies should be as wide as possible; (b) the existing procedural remedies must be made known in the context of the relevant action, and victims of racial discrimination should be helped to avail themselves of them in accordance with the particular case; (c) complaints of racial discrimination must be settled as rapidly as possible, a reasonable time-limit being set for the relevant inquiries; (d) indigent persons who are victims of racial discrimination should receive free legal assistance and aid in the complaint proceedings and, where necessary, provided with the help of an interpreter in civil and criminal cases; (e) States should be urged to create national bodies competent to investigate allegations of racial discrimination; (f) steps should be taken towards the enactment of legislation to penalize discriminatory practices on grounds of race or ethnic origin and provide for adequate compensation of the victims; (g) access to legal remedies should be facilitated for victims of discrimination and the legal capacity of non-governmental institutions or organizations to intervene on their behalf should be recognized by means of legislative reforms; programmes to enable the most vulnerable groups to have access to the legal system should be prepared. ***(h) legal systems should provide effective remedies enabling victims to secure both punishment of perpetrators and just and adequate reparation or satisfaction for the damage caused, where appropriate, in accordance with Article 6 of International Convention on All Forms of Racial Discrimination.*** **Seminar of experts for Latin America and Caribbean, Santiago;**

93. ***The World Conference affirms that compensatory measures are legitimate and necessary remedies for past acts of racial discrimination.***

94. ***Sates should prove that legislation is effectively applied and supply statistical information on complaints, prosecutions and sentences, recognizing that the absence of complaints or prosecutions for racists acts is not necessarily a positive indicator: it could also show that the victims are not well-informed of their rights, or that they do not have sufficient confidence in the police and judicial authorities, or that the***

authorities themselves are not sufficiently diligent or motivated in the prosecution of racists acts.

95. The World Conference urges States to work with law enforcement agencies in designing, implementing and enforcing effective programmes to prevent, detect and ensure accountability for incidents of police misconduct motivated by race or ethnic origin, to prosecute such police misconduct and to eliminate "racial profiling" by law enforcement officials.

96. The World Conference urges States to provide appropriate assistance to victims of hate crimes and public education to prevent future incidents. It urges States to give special attention, when promoting and implementing legislative and judicial policies designed to give workers adequate protection, to the serious situation of lack of protection and, in some cases, the exploitation of groups vulnerable to racism, racial discrimination, xenophobia and related intolerance, a situation that allows or facilitates confinement, as in the case of domestic workers and dangerous and badly paid jobs.

97. The World Conference urges States to avoid the negative effects of discriminatory practices, racism and xenophobia in employment and occupation by promoting the application and observance of international instruments and norms on workers' rights, including the Declaration on Fundamental Principles and Rights at Work of the International Labour Organization. It also urges States to continue their efforts to protect the rights of workers who are particularly vulnerable to racism, racial discrimination, xenophobia and related intolerance.

98. The World Conference urges States to design, promote and implement effective legislative and administrative policies against the serious situation experienced by certain groups of workers who are vulnerable to racism, racial discrimination, xenophobia and related intolerance, including persons involved in prostitution and others who may be exploited or victims of illegal trafficking.

99. The World Conference invites States to consider reforms to their systems for the administration of justice in order to provide free legal assistance, where appropriate, to victims of

discrimination so that legal action can be initiated to permit the prosecution and punishment of the perpetrators of such acts. **Regional Conference, Santiago Cf. Regional Conference, Dakar**

100. The World Conference urges States to adopt the necessary measures to ensure the rights of victims, in particular the right to an effective judicial remedy and to prompt, adequate and fair reparation for acts of racism, racial discrimination, xenophobia and related intolerance, and effective measures designed to prevent the resurgence of such

acts. In this regard, the World Conference invites the Commission on Human Rights to consider the suggestion put forward at the African Regional Conference with regard to a possible international compensation scheme and a development reparation fund. **Cf. Regional Conference, Dakar**

XVII. IMPUNITY

101. The World Conference urges States to adopt effective measures to combat acts motivated by racism, racial discrimination, xenophobia and related intolerance, to prevent these crimes from going unpunished and to ensure the rule of law. **Regional Conference, Santiago**

102. Noting that impunity for the violation of human rights and international humanitarian law is a serious obstacle to political stability and sustainable development, the World Conference urges States to ratify the Rome Statute of the International Criminal Court. **Seminar of experts, Addis Ababa**

XVIII. REGIONAL ACTIVITIES

103. The World Conference calls upon States, as appropriate, to promote:

(a) Effective legal and judicial cooperation at the regional and international levels in combating racism, anti-Semitism and xenophobia to prevent the perpetrators of racist and xenophobic acts from benefiting from the fact that offences are treated differently in various States;

(b) Exchanges at the regional and international levels among national independent specialized bodies and other relevant independent bodies with a mandate to monitor racism and racial discrimination;

(c) Exchanges at the regional and international levels among educational authorities and others involved in developing curricula incorporating anti-racist and intercultural education;

(d) The building of networks for monitoring and information-sharing, including an inventory of foundations, organizations and networks fighting racism. **Regional Conference, Strasbourg**

104. The World Conference recommends the establishment of regional centres for monitoring the situation of ***racial groups and*** minorities to help identify trends and problems, disseminate information and develop solutions where possible, through joint efforts by the United Nations, regional organizations and Member States. ***Such centres could undertake research, training studies, compile statistics, maintain databases and***

develop qualitative and quantitative indicators to measure regional progress in the struggle against racism. **Seminar of experts, Warsaw**

XIX. MEASURES AT THE INTERNATIONAL LEVEL

The International Convention on the Elimination of All Forms of Racial Discrimination

105. The World Conference urges States that have not yet done so to ratify or accede to the International Convention on the Elimination of All Forms of Racial Discrimination, as soon as possible, with a view to achieving universal ratification of the Convention by the year 2005. **Regional Conference, Santiago**

106. ***The World Conference further urges States to limit the scope of any reservation to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservations as precisely and as narrowly as possible, to ensure that no reservation is incompatible with the object and purpose of the Convention or is otherwise inconsistent with international law. Further urge them to review their reservations regularly with a view to withdrawing them.***

107. ***States parties are urged to make the declaration under Article 14 of the International Convention on All forms of Racial Discrimination, recognizing the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals claiming to be victims of violations of any of the rights set forth in the Convention.***

108. ***States should pay particular attention to the definition of racial discrimination contained in article 1(1) of the International Convention on the Elimination of All Forms of Racial Discrimination, which defines "racial discrimination" as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life". In this connection, it is important to conduct nationwide campaigns to raise awareness among State organs, including the judiciary and law enforcement agencies, and civil society organizations, including associations involved with minorities, concerning the meaning of racial discrimination as defined in article 1 of the Convention.***

109. ***The World Conference is encouraged to call upon all States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to report to the Committee on the Elimination of Racial Discrimination in a comprehensive manner and in accordance with the stipulations of Article 9 of the***

Convention. In particular, the World Conference encourages all States parties to move beyond the recapitulation of domestic legal provisions concerning Convention obligations and to report more fully on the actual situation of individuals belonging to minority groups, disaggregating data by race, colour, descent, national or ethnic origin, and gender and including measures the Government may have taken to improve the situation.

110. ***All States should comply fully with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and article 20(2) of the International Covenant on Civil and Political Rights. States which have made reservations under those articles are urged to consider withdrawing them. States should recognize racial discrimination as defined in article 1(1) of the Convention as an aggravating factor in the commission of ordinary crimes and ensure adequate punishment in their criminal codes.***

111. ***Civil society should be invited to monitor the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by States parties through participation in the preparation of national reports to CERD. States are urged to publish and disseminate widely their national reports and the concluding observations adopted by the Committee, and to make them available to the public at large.***

112. ***CERD should be encouraged to intensify its focus on early-warning and urgent action measures, in particular, to assist Governments to prevent problems from escalating into conflicts.***

113. ***The Committee should further develop its capacity to respond to instances requiring immediate attention through a set of urgent procedures including good offices missions, where there was a serious, massive or persistent pattern of racial discrimination or a situation of sufficient gravity posing a risk of further racial discrimination.***

114. ***Additional financial resources should be dedicated to the work of CERD in order to provide for a regular schedule of consultations between CERD, the Special Rapporteur, the Sub-Commission and its various working groups; to enhance CERD's financial ability to respond to invitations for country visits and to hold consultations with regional and national bodies; to follow up on the implementation of recommendations of the Committee; and to provide additional technical assistance to State parties, in particular with regard to drafting reports in accordance with the general guidelines of the Committee.***

Ratification and implementation of international norms

115. Recognizing the importance of the gender dimension of racial discrimination, the World Conference also urges all States that have not yet done so to consider ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women as soon as possible with a view to achieving universal ratification within five years.

116. The World Conference calls upon all States to consider, as a matter of priority, signing and ratifying of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, or acceding to this instrument.

Regional Conference, Santiago

117. The World Conference calls upon States to ratify international standards that prohibit discrimination in employment and occupation, in particular the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labour Organization, and to apply the Declaration on Fundamental Principles and Rights at Work of the International Labour Organization of 1998.

118. The World Conference calls upon all States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) of the International Labour Organization, and to prohibit and prevent discriminatory treatment against foreigners and migrants workers, inter alia concerning the granting of visas, work permits, family conditions, housing and access to justice, based on race, colour, descent or national or ethnic origin.

119. The World Conference recognizes that child labour perpetuates poverty and inequality along racial lines by disproportionately denying children from affected groups the opportunity to acquire the human capabilities needed in productive life and to benefit from economic growth. The World Conference calls upon States to ratify the Convention on the Rights of the Child and the Worst Forms of Child labour Convention, 1999 (No. 182) of the International Labour Organization.

120. The World Conference calls upon States to ratify existing international standards which prohibit discrimination against indigenous people, including the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.

ILO

121. The World Conference calls upon States to ratify the Convention against Discrimination in Education, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization.

122. The World Conference:

(a) Urges States to take the necessary measures to ensure respect for their obligations under international humanitarian law, particularly those relating to discrimination on the basis of race, colour, descent or national or ethnic origin;

(b) Urges States that have not yet done so to consider acceding, as a matter of urgency and without reservations, to the Geneva Conventions on the protection of victims of war of 12 August 1949 and the two Additional Protocols thereto of 1977, as well as to other treaties of international humanitarian law and to enact, with priority, appropriate legislation, taking the measures required to give full effect to their obligations under international humanitarian law, in particular in relation to the rules prohibiting discrimination. **Regional Conference, Santiago**

International activities

123. The World Conference:

(a) Requests the Commission on Human Rights to include in the mandates of all its special procedures a request to report on problems relating to racism, racial discrimination, xenophobia and related intolerance;

(b) Calls upon Governments to cooperate with the appropriate special procedures of the Commission on Human Rights and other mechanisms of the United Nations in matters pertaining to racism, racial discrimination, xenophobia and related intolerance, in particular with the Special Rapporteurs and independent experts on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, religious intolerance, freedom of opinion and expression, human rights of migrants, violence against women, extreme poverty, and the Special Representative of the Secretary-General on the situation of human rights defenders, and with the Working Groups of the Sub-Commission on the Promotion and Protection of Human Rights on Indigenous Populations, Minorities and Contemporary Forms of Slavery. **Regional Conference,**

Santiago

124. The World Conference calls upon the international financial institutions, including the World Bank, and regional financial institutions and banks to further integrate human rights principles and norms into their policies and programmes. The World Conference also reminds Governments of their obligations under the International Covenant on Economic, Social and Cultural Rights to promote economic, social and cultural rights through international cooperation and development. **Seminar of experts, Addis Ababa**

125. The World Conference recommends that the Office of the United Nations High Commissioner for Human Rights organize a database that can be consulted via the

Internet containing information on the struggle against racism, racial discrimination, xenophobia and related intolerance, particularly in relation to international and regional instruments and national legislation; educational and preventive programmes implemented in various countries and regions; opportunities for technical cooperation; and academic studies and specialized documents. **Regional Conference, Santiago**

126. The United Nations should prepare and publicize a systematic collection of national anti-discrimination legislation, in particular with a view to informing those in authority and the public at large of legal means to combat racial discrimination in private relationships, including any available legal and other remedies. **Expert seminar on remedies, Geneva**

127. The World Conference invites the United Nations Secretary-General and the High Commissioner for Human Rights to submit to the General Assembly at its forthcoming session an action plan to increase resources for the activities of the Committee on the Elimination of Racial Discrimination and for the establishment ***of a United Nations inter-agency task force on racism, focusing on mainstreaming a programme of action against racism throughout the United Nations system (including all field operations), developing institutional policies and initiatives and promoting recommendations emanating from the World Conference. Close contacts between the Committee on the Elimination of Racial Discrimination and the task force should be established.***

128. In reviewing the political, historical, economic, social, cultural and other factors leading to racism, racial discrimination, xenophobia and related intolerance, the World Conference recalls the pioneering study Racial Discrimination by Hernán Santa Cruz, Special Rapporteur of

the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, and calls upon the Sub-Commission on the Promotion and Protection of Human Rights to update and disseminate it widely.

129. The World Conference recommends:

(a) The establishment of a follow-up mechanism headed by the Chairperson of the World Conference, composed of five eminent persons from the different regions, appointed by the Secretary-General after due consultation with all regions. This mechanism will function in consultation with the High Commissioner for Human Rights, the Committee on the Elimination of Racial Discrimination and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. This mechanism would be entrusted with the supervision of the implementation of the Declaration and Programme of Action to be adopted by the World Conference and to submit an annual report to the United Nations General Assembly;

(b) The establishment of an international mechanism to monitor racially discriminatory attitudes and acts, individual or collective, private or public, including by non-State actors, charged with the following tasks:

(i) The compilation of information about racial acts and their development;

(ii) The creation of a Web site by a coalition of non-governmental organizations working in the field of combating racism, in collaboration with the Office of the High Commissioner for Human Rights, to receive and disseminate such information to the widest possible extent;

(iii) The provision of legal and administrative support and advice to victims of racial acts;

(iv) The preparation of an annual report on its activities to be submitted to the Secretary-General;

(c) The dissemination by the Office of the High Commissioner for Human Rights in the most accessible manner, through its Web site and other appropriate means, of all the remedies available through international mechanisms to victims of racial discrimination, as well as the national remedies, hopefully enhanced and progressively developed in implementation of the Programme of Action to be adopted by the World Conference. **Regional Conference, Dakar**